

March 7, 2003

ATTACHMENT II

**ADMINISTRATIVE GUIDELINES FOR COMMUTING
UNDER EXECUTIVE ORDER 03-04**

A. Criteria for commuting. State-owned or state-leased vehicles are not to be used to commute between the employee's residence and the employee's official workstation, except when one or more of the following circumstances apply.

1. Law enforcement. The vehicle is used by a law enforcement officer, as defined by K.S.A. 22-2201, and amendments thereto, who is subject to being called out to respond to law enforcement or public safety emergencies.

2. Public safety emergency response. The vehicle is used to commute by an employee who meets **all** of the following criteria:

--The employee is in a position that is required to respond to public safety emergencies.

--The employee cannot respond to these public safety emergencies in a privately owned vehicle because the employee must use a vehicle equipped with permanently affixed special apparatus or equipment that is necessary to respond to emergencies.

--The employee is required to respond to public safety emergencies within a clearly defined response time that precludes picking up the specially equipped vehicle at the employee's official work station en route to the emergency.

--The duties of the position require the employee to respond to public safety emergencies an average of one time per month. If the public safety emergencies are seasonal in nature, any authorization to commute must be limited to those periods of time in which the public safety emergencies are likely to occur.

--The one-way distance between the employee's official workstation and residence does not exceed 20 miles or, if the one-way distance is greater than 20 miles, the agency head documents that there is no cost effective alternative to commuting in the specially equipped state vehicle.

3. Trips. The employee commutes in a state vehicle on a trip basis only. In this case, the vehicle may be driven a reasonable distance to the employee's residence on the evening of the workday immediately preceding the date of travel or the evening of the workday in which travel is completed. "Reasonable distance" is based on a determination that driving the vehicle to the residence will not increase the total, one-way trip mileage between the official workstation and the destination by more than 10 miles.

B. Notification of Secretary and maintenance of documentation. The agency head must notify the Secretary of Administration of each instance in which the agency head has authorized an employee to commute in a state vehicle under the law enforcement or public safety emergency response criteria. The notice is to identify the following items:

1. the position that is authorized to commute (SHARP position number);
2. the job classification title for the position (as shown in SHARP);
3. the license plate number of the vehicle that will be used to commute;
4. the basis for the authorization to commute (law enforcement or public safety emergency response criteria); and
5. the one-way distance between the employee's residence and workstation.

The Secretary of Administration will be deemed to have approved the authorization to commute unless, within 30 days after the agency submits the required information about the authorization to the Secretary, the Secretary provides notice to the agency that the authorization to commute is denied.

The agency head is to ensure that current documentation is maintained that supports the employee's continued qualification under the law enforcement or public safety emergency response criteria. The current documentation is subject to review by the Secretary of Administration or the Secretary's designee. If the Secretary determines that one or more of the criteria is not met, the authorization to commute on the basis of law enforcement or public safety emergency response may be withdrawn by the Secretary.

C. Employee's residence designated as the official workstation. As is current practice, if an employee's official workstation is the employee's residence and the employee travels directly to or from the residence at least 50% of the employee's work time, the employee is **not** considered to be commuting when driving the vehicle to or from the employee's residence on official state business. The agency head is to ensure that current documentation is maintained demonstrating that each employee continues to meet these conditions. It is not necessary to forward this documentation or other information about the position or vehicle to the Secretary of Administration. However, the documentation is subject to review by the Secretary of Administration or the Secretary's designee. If the Secretary determines that one or more of these conditions are not being met, the authorization to drive the vehicle to the employee's residence may be withdrawn by the Secretary.

D. Elected officials. The prohibition on commuting does not apply to travel by the Governor or other elected officials in a state-owned or state-leased vehicle when the Superintendent of the Kansas Highway Patrol determines using the state-owned or state-leased vehicle is a necessary security measure.

E. State vanpool program. The prohibition on commuting does not apply to state-owned or state-leased vehicles acquired or assigned for use in the state vanpool program.